

IMMEDIATE JEOPARDY - Per Instance Civil Money Penalty

S E V E R E I T Y	Death	\$10,000	\$10,000	\$10,000
	Serious Harm, Serious Injury, Impairment	\$5000	\$6000	\$8000
	Likely to cause Serious Harm, Serious Injury, Impairment, or Death	J \$3500	K \$4000	L \$4500
	Scope	Isolated	Pattern	Widespread

IMMEDIATE JEOPARDY - Per Day Civil Money Penalty

S E V E R E I T Y	Death	\$10,000	\$10,000	\$10,000
	Serious Harm, Serious Injury, Impairment	\$4000	\$6000	\$10,000
	Likely to cause Serious Harm, Serious Injury, Impairment, or Death	J \$3050	K \$3500	L \$4000
	Scope	Isolated	Pattern	Widespread

Circle base amount and number of all that apply, add detail (if necessary), e.g. dates of prior repeat citations, prior CMP amounts

Per Day / Per Instance CMP's for IJ

1. Minimum per day and per instance assessment is \$3,050; maximum assessment is \$10,000. (SOM PICMP minimum is \$1,000; CMS will not approve less than \$3,050 PICMP)
2. Add \$1000 if current Immediate Jeopardy (IJ) citation is repeat at F-SQC, "Harm" level or above within last 12 months.
3. Add \$1000 for facility culpability; if facility non-compliance was intentional, or a product of neglect, indifference, or disregard.
4. Add \$250 for each harm and F-SQC level citation within the last 24 months, two annual survey periods.
5. Add \$500 for each IJ citation within the last 24 months, two annual survey periods.
6. Two or more IJ cites – if they are based on same example use only one citation as a basis for the CMP.
7. Two or more IJ cites – if they are not same example calculate the CMP's separately for each citation, then add the two amounts together (maximum is \$10,000).
8. Once the IJ is removed, but deficiencies remain uncorrected, use the NON IJ chart for determination of the continuing per day CMP.
9. **\$10,000 for a death when action or inaction by the facility may have caused or contributed to the death of a resident.**

Consider using PI CMP for any of the following:

1. When the beginning date of the deficiency cannot be determined.
2. When a civil money penalty is combined with other enforcement actions such as a discretionary denial of payment, directed plan of correction, or directed in-service.

THIS CIVIL MONEY PENALTY (CMP) SCHEDULE CONFORMS TO 42 CFR 488.408. THIS SCHEDULE IS INTENDED TO COVER THE MAJORITY OF CASES WHERE THE STATE AGENCY RECOMMENDS CMP IMPOSITION. SITUATIONS MAY ARISE THAT JUSTIFY DEPARTURE FROM THESE GUIDELINES.

Revised **04/09/07**

Facility Name _____

Total amount of CMP / PI CMP \$ _____

Lo/Analyst Name _____

Survey Exit Date _____